

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

Cheryl Sheets, :  
Plaintiff, :  
vs. : Case No.  
Sheriff Alex Lape, et al., : 2:21-cv-01810  
Defendants. :

VIDEOCONFERENCE DEPOSITION OF DEPUTY WESLEY REED

Friday, May 13, 2022  
10:08 a.m.

MARILYN K. MARTIN, RPR  
REGISTERED PROFESSIONAL REPORTER

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14 On behalf of the Plaintiff.

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21 On behalf of the Defendants.

22 ALSO PRESENT:

23 Deputy Marty Norris  
24

FRIDAY MORNING SESSION  
May 13, 2022  
10:08 a.m.

- - -

STIPULATIONS

- - -

It is stipulated by and between counsel  
for the respective parties herein that this  
deposition of DEPUTY WESLEY REED, a Witness herein,  
called by the Plaintiff under the statute, may be  
taken at this time and reduced to writing in  
stenotypy by the Notary, whose notes may thereafter  
be transcribed out of the presence of the witness;  
and that proof of the official character and  
qualifications of the Notary is waived.

- - -

P R O C E E D I N G S

- - -

DEPUTY WESLEY REED,

being by me first duly sworn, as hereinafter  
certified, testifies and says as follows:

CROSS-EXAMINATION

BY MS. KING:

Q. Good morning, Deputy Reed. How are you  
today?

A. I'm well. Thank you.

Q. My name is Billi Copeland King, and I'm  
going to ask you a few questions this morning. And  
have you done a deposition before?

A. No. This is my first time.

Q. You have not. Great. So there's some  
ground rules. One of the first ground rules is to  
make sure that you answer audibly because the court  
reporter, of course, cannot understand nods and  
gestures. So just to make sure that you speak your  
answer. Okay?

A. Okay.

Q. If, at any time, you need a break, that's  
fine. Just let us know; however, just make sure that  
you finish answering the question before you ask for

1 that break. Okay?

2 A. Okay.

3 Q. All right. And one of the other rules  
4 that you need to take note of is: When I'm asking a  
5 question, just wait until I finish asking the  
6 question to give your answer. Okay?

7 A. Okay.

8 Q. All right. Do you have any questions for  
9 me before we get started?

10 A. No, I don't.

11 Q. Okay. So I'm going to go ahead and ask  
12 you to state and spell your name for the record.

13 A. Wesley Reed, W-E-S-L-E-Y, R-E-E-D.

14 Q. Okay. And can you give me your date of  
15 birth.

16 A. May 8, 1989.

17 Q. Okay. And, Deputy Reed, how tall are you?

18 A. I am six-one.

19 Q. Okay. How much do you weigh?

20 A. 250.

21 Q. Okay. And there's one question I forgot  
22 to ask you. Are you under the influence of anything  
23 today that would impact your ability to answer  
24 questions?

1 A. No, I'm not.

2 Q. Okay. Thank you. So we're going to go  
3 ahead; and I'm going to ask you some questions about  
4 your employment history, your discipline, if you've  
5 had any discipline and a few other questions about  
6 your training and education. Okay?

7 All right. So where are you currently  
8 employed?

9 A. Right now I'm at Fairfield County Medical  
10 Center Police Department.

11 Q. How long have you been there?

12 A. About a year and a half.

13 Q. So you started there in the end of 2020?

14 A. Yeah.

15 Q. Okay. Do you know about what month?

16 A. I believe it was September.

17 Q. Okay. And before that, where did you  
18 work?

19 A. I was here at the Fairfield County  
20 Sheriff's Office.

21 Q. Can you give me the dates of that  
22 employment?

23 A. I was hired in 2018. I believe it was  
24 August of 2018. And I was here for just under two

1 years. Left right at 2020. I would say  
2 August -- late August of 2020.

3 Q. Okay. And before that, where did you  
4 work?

5 A. Before that, I was not in law enforcement.  
6 I was doing media for a local church.

7 Q. How long were you there?

8 A. I was there for probably three years, but  
9 not doing media the entire time. They were building  
10 a new -- a new building, an add-on. So I was  
11 employed by the pastor to help that. And then I have  
12 a degree in film. That's what I went to college for.  
13 So after the building was complete, he kind of just  
14 transitioned me over to help build the media side.

15 Q. Okay. We'll get to that. So where did  
16 you get your officer's training?

17 A. I got it through OPOTA at Hocking College.

18 Q. Do you have a degree besides film?

19 A. I do not.

20 Q. Okay. And what certifications do you  
21 have?

22 A. We -- we do yearly certifications both at  
23 the sheriff's office and at the hospital, force on  
24 force training certifications, recertifications on

1 taser qualifications and qualifications on,  
2 obviously, firearms.

3 Q. Okay. What's force on force training?

4 A. Force on force training is understanding  
5 the use of force continuum and when it is legal for  
6 us to place hands on somebody and then the  
7 progression of that continuum to ultimately using  
8 death, force of death. So there's a continuum  
9 from -- from verbal, and then you work your way  
10 through the issues and obviously use force that is  
11 necessary to -- to extinguish a problem.

12 Q. In your training, how are you taught to  
13 progress through the continuum?

14 A. Well, it's basically verbal is always the  
15 very beginning; and you are going -- basing your  
16 reaction from the person's -- how they -- their body  
17 language, the way they're speaking back to you, these  
18 little things, these little cues that officers have  
19 to go on to determine that amount of force that's  
20 necessary, if any is necessary.

21 Q. Okay. And can you name the stages of the  
22 continuum of force for me?

23 A. Not right off the top of my head.

24 Q. Okay. You stated No. 1 is verbal. Do you

1 remember No. 2?

2 A. Verbal. And then it would go to a  
3 physical -- physical contact, generally hand to hand.  
4 And then it would progress from there, using  
5 nonlethal or, you know, tasers, pepper spray,  
6 anything of that nature that we have available to us.  
7 And then moving on from less lethal, obviously, to a  
8 lethal means.

9 Q. Okay. And so you mentioned that --  
10 reaction, body language cues. Can you name some of  
11 those reactions, body language cues that would lead  
12 you to go from a one, verbal to a two, physical  
13 contact?

14 A. Sure. So it would be the person's body,  
15 how they're standing, the way their hands are,  
16 whether they have their hands in their pants, whether  
17 their hands are out, whether they're balled as --  
18 balled in fists or relaxed. A lot of, you know,  
19 gritting of the teeth. You know, the muscles in the  
20 jaw, you can look and see.

21 And then obviously, you go into the  
22 verbal, how they're responding to what you're doing  
23 or the commands you're giving them, if their voice  
24 becomes heightened and they begin to yell, things of

1 that nature. Mainly it's body language that I  
2 personally look at and cues that tell any kind of  
3 beforehand how things are going to go.

4 Q. Okay. And then what if you're wrong?

5 A. Well, we have --

6 MS. JARMUSZ: I was going to say if you  
7 don't understand the question, ask her to clarify.

8 A. We have split second decisions in a lot of  
9 the things that we do every day. And you go on what  
10 you believe is the best possible thing that you're  
11 observing at the time.

12 Q. So yelling would lead to physical contact?

13 A. No.

14 MS. JARMUSZ: I'll object to the form.

15 But you can answer.

16 A. No, not necessarily. There's a lot of  
17 different variables that come into play. But, no,  
18 the yelling does not always lead to a physical  
19 confrontation.

20 Q. Okay. So let's go back to your employment  
21 at Fairfield County Sheriff's Office. While you were  
22 there -- I know it was a short period of time. But  
23 while you were there, did you have any discipline  
24 issues?

1 A. While I was at Fairfield County?

2 Q. Correct.

3 A. I do not recall having any disciplinary  
4 issues.

5 Q. Have you ever had any disciplinary issues?

6 A. No.

7 Q. Okay. Have you ever been ordered to go  
8 through any additional training?

9 A. No. Nothing additional. It's always just  
10 been the in-service stuff, the usual things and a lot  
11 of times asking or requesting for additional training  
12 just on my own, maybe even just out of my own pocket  
13 just to get some more training on my off time.

14 Q. Okay. So do you remember the incident  
15 that happened with Cheryl Sheets on 9/17/2019?

16 A. Yes, I do.

17 Q. Okay. Can you tell me about it.

18 A. So myself, I was still on FTO, which is  
19 field training. So I was coming out of the jail and  
20 going to patrol and learning all the facets of not  
21 only patrol, but as a sheriff's office as a whole.

22 So we work with the canine unit. We work  
23 with the detective bureau, and we bounced around, and  
24 obviously had the majority of the time out on the

1 road with other more experienced deputies that are  
2 training officers that you kind of ride along with.  
3 And they -- you know, they just impart some things  
4 that they've learned in their careers, and you kind  
5 of gather everything and make it your own. Once  
6 you're out on your own, you just -- you work it out  
7 and figure out what's best that works for you.

8 But to go back to your question, myself  
9 and Training Officer Shorr, which is now Sergeant  
10 Shorr here at the sheriff's office, him and I were in  
11 a cruiser together. We were on our way back into the  
12 city of Lancaster, being out in the county, coming  
13 back into the city. And we overheard Deputy Norris  
14 mark that he was out on a traffic stop and was asking  
15 for a second unit. So us being in that vicinity of  
16 Deputy Norris, we decided to go over there and give  
17 him the backup he requested.

18 So once we got there, Marty had actually  
19 marked out at an apartment that was pretty much right  
20 in front of where he had stopped this vehicle.  
21 Apparently he had gotten some intel that there was a  
22 male inside of that apartment that had a warrant. So  
23 we -- we went over to the house.

24 Marty and -- or Deputy Norris and

1 Deputy Shorr, they both went to the front door.  
2 Deputy Norris asked me if I would go to the back of  
3 the apartment for rear security because there's a lot  
4 of times where you knock at the front, and somebody  
5 runs out the back. And we wanted to contain that  
6 area and make sure anybody coming in and out that we  
7 were there to stop them and detain them for a period  
8 of time.

9 So I went to the back of the apartment.  
10 Again, just stood by and waited. They made entry  
11 into the house after knocking. Somebody answered the  
12 door. They let them in. And they were inside.

13 I could hear just audible. You know,  
14 nothing that I could hear very clear. I was standing  
15 outside.

16 So they went through the house, and  
17 Deputy Norris ended up opening -- unlocking the back  
18 door, opening the back door, saying, "Hey, everything  
19 is good here. Can you come in here and just continue  
20 to help search for this individual."

21 "Sure."

22 So I went in. Went into the back bedroom.  
23 And we were searching the back bedroom, looking in  
24 closets and things like that, just any space where

1 somebody could hide themselves. And that's what we  
2 were there for.

3 And about that time I came in -- it didn't  
4 take very long at all, a couple minutes -- when  
5 Ms. Sheets came from the front of the apartment, and  
6 she came back to the back bedroom. And at the very  
7 beginning, she was just observing, seeing what we  
8 were doing. And then she became verbal, asking --  
9 you know, asking us what we were doing.

10 And we continued to let her know just to  
11 stay calm. The easier it is for us to get in there,  
12 look where we feel we need to look and get out the  
13 better so we're not taking up her time, and we can go  
14 on to other things.

15 And she was very persistent with us about  
16 exactly what we were doing, and we were continually  
17 repeating ourselves, looking -- you know, we have --  
18 "There's a man here that apparently has a warrant.  
19 We're looking for him." And she just kept ramping  
20 up, ramping up to the point where Deputy Norris asked  
21 her, "If you would please remain calm and quiet, we  
22 can do our jobs. If not, I'm going to arrest you for  
23 obstruction of justice, disorderly conduct."

24 And at that time, that heightened her even

1 more. She actually began yelling at us. Again, we  
2 repeated ourselves, letting her know if she does not  
3 stay calm and compliant that she would be going to  
4 jail. And she did not listen to our  
5 multiple -- multiple requests for her to do that, so  
6 that's when Deputy Norris told her that she was under  
7 arrest.

8 And as we were placing her -- As he went  
9 to grab her to place her in handcuffs, that's when  
10 she reached out and attempted to grab Marty's  
11 shoulder. At that point, he grabbed her hand and  
12 maneuvered her to the bed where I was on the side of  
13 the bed. I had placed -- Just to help control her, I  
14 placed my hand on the back of her head. As Marty was  
15 bringing her arm back, that's when she yelled and  
16 said, "You broke my arm. You broke my arm."

17 So we both looked at each other. He  
18 released her arm. I released from the back of her  
19 head. And that's when we called for medical. So we  
20 put her on an ambulance, and I rode with her to  
21 Fairfield Medical Center River Valley Campus on 33  
22 where she was treated.

23 Q. Okay. Thank you for that. I have a few  
24 follow-up questions for you.

1 A. Sure.

2 Q. So you said that this went from a traffic  
3 stop to an apartment search?

4 A. Yes.

5 Q. Okay. And when you were by the back door  
6 providing rear security, how long were you there?

7 A. I would say I was there no longer than  
8 eight minutes. It really was not a very long period  
9 of time.

10 The apartment complex -- or the apartment  
11 itself -- not the complex. But the apartment is only  
12 so big, so it really did not take a very long period  
13 of time before Marty unlocked that back door.

14 Q. Okay. And so you were there for eight  
15 minutes. And you said that when you made entry that  
16 Cheryl Sheets was still in the front room?

17 A. Yes. That was -- Yeah. She was -- If she  
18 wasn't in the -- she was not in that back room where  
19 we were initially, she was -- I was -- would guess  
20 that she would be in the front room or in that  
21 hallway that led to the back, but she was not there  
22 initially.

23 Q. Okay. And tell me the approximate amount  
24 of time that you entered that back bedroom to where

1 the incident -- the touching happened between  
2 Deputy Norris and Ms. Sheets -- Ms. Sheets rather.

3 MS. JARMUSZ: Object to form.

4 You can answer.

5 MS. KING: I can't hear you.

6 MS. JARMUSZ: I just objected to form but  
7 said he could answer.

8 MS. KING: Okay. Thank you.

9 A. I would say we were back there for no more  
10 than ten -- no more than ten minutes.

11 Q. Now, you mentioned the size of the space,  
12 that it was small.

13 A. Yeah. It was a smaller apartment.

14 Q. Can you give me approximate dimensions of  
15 the room?

16 A. I cannot. It was -- it was very small.  
17 That's the only thing I could say. I couldn't -- The  
18 actual back bedroom, is that what you're asking, back  
19 bedroom?

20 Q. I'm asking you about the space that you  
21 were in when you stepped into the residence.

22 A. Okay. Yeah. I don't know. I can't tell  
23 you the approximate dimensions of that room. I just  
24 know it was small.

1 Q. Can you tell me what was in that room?

2 A. Yeah. There was a bed, probably about a  
3 twin size bed, one wooden dresser and a bunch of  
4 clothes and stuff. I remember seeing just a bunch of  
5 clothes. And we -- There was a -- there's a small  
6 closet as well that was just packed full of stuff.  
7 But in terms of furniture, it was really just -- I  
8 think there was a small nightstand too, but really  
9 those were the only three furniture items that were  
10 in the room.

11 Q. Okay. Did you observe anything else?

12 A. No. I don't -- I don't -- I can't -- I  
13 don't remember specifics other than those -- those  
14 three -- three things in there.

15 Q. Tell me about how the space is arranged  
16 when you stepped in the back door. Were you by the  
17 nightstand, or were you by the closet?

18 MS. JARMUSZ: I'll object to form.

19 You can answer.

20 A. I know that that back door -- If I  
21 remember, that back door opened, and the closet was  
22 behind that door once you opened it up because  
23 I -- I -- I believe I recall opening the door and  
24 having to close it again so that we could search the

1 closet space. So I would guess when I entered, I was  
2 closest to the closet.

3 Q. During the incident, did you remain  
4 closest to the closet?

5 A. Yeah. I mean, that was -- that was the  
6 most obvious space in that room where somebody could  
7 have been concealing themselves, so that was really  
8 the -- that -- that was the one spot that we were  
9 trying to look through for the individual. But after  
10 we had done that and she had -- became very  
11 heightened, that's when I kind of went around to the  
12 back of the bed to help Marty out just to, you know,  
13 get closer to the both of them.

14 Q. What did Ms. Sheets say exactly -- her  
15 exact words about overstepping?

16 A. Yeah. I believe that's pretty much what  
17 she was saying, was that, "You're overstepping.  
18 You're overstepping your bounds." And we reassured  
19 her that we were not. But that's the one thing that  
20 I remember her repeating quit a lot. Yeah. That was  
21 probably the one thing that she continued to say over  
22 and over.

23 Q. Was it something that you were doing?

24 A. No. Not to my knowledge. I don't think

1 it was something that either one of us were doing. I  
2 believe we were both very reasonable. We weren't  
3 tossing things around. We weren't flipping her -- We  
4 weren't destroying her home. We were in there and  
5 moving things as much as what we needed to, but it  
6 wasn't like we were just, you know, ransacking her  
7 apartment looking for this guy. That's not  
8 what -- You know, that's not what we were doing.

9 Q. During the search, what items did you  
10 move?

11 A. It was -- I think we -- We moved the  
12 dresser, the clothing dresser out just a little bit  
13 and then -- because there was a space I think in  
14 between that dresser and the back wall, so we moved  
15 that a little bit. We moved it back. The majority  
16 of the stuff that we moved was in the closet just  
17 because she had so many items of clothing, trash bags  
18 probably filled with clothes or something else that  
19 was just piled up at the bottom of the closet. So  
20 the majority of that we were moving out so that we  
21 could actually look and see into the back corners of  
22 that closet to see if someone was sitting back there.

23 Q. What are the approximate dimensions of the  
24 closet?

1 A. I cannot -- I cannot answer that. I do  
2 know that it was wide enough for someone to either  
3 stand or maybe a smaller person to sit almost like in  
4 the fetal position down in that corner. But it  
5 couldn't have been any more than, I don't know, a  
6 three by four. Just a little closet.

7 Q. Okay. And you mentioned that you had  
8 moved some of the items in the closet.

9 A. Yeah. We moved --

10 Q. What were those items?

11 A. Just larger trash bags. That's what I  
12 remember most, is that she had multiple trash bags  
13 that were kind of just piled in there. So we wanted  
14 to move those to see if someone had went back into  
15 that little nook of that closet and then put those  
16 things back on themselves. So we were just securing  
17 that area and making sure no one was back there  
18 hiding.

19 Q. Okay. And in your estimation, how long  
20 did that take?

21 A. It was within that ten-minute window that  
22 we were back in that room. It couldn't have taken  
23 any more than a couple minutes to move that stuff.  
24 But it was within that ten-minute span of your

1 earlier question, how long you -- I felt we were back  
2 in that room together searching.

3 Q. Okay. So during that ten minutes, you  
4 said that had you moved the dresser, and you searched  
5 the closet?

6 A. Yeah.

7 Q. Did you search any other area of the  
8 bedroom?

9 A. No. I mean, we checked underneath -- You  
10 know, we dipped our head down and checked underneath  
11 the bed. But there really was no -- nothing else to  
12 look through at that time. I mean, we had pretty  
13 much looked through that entire room.

14 Q. Okay. So can you tell me in detail what  
15 happened during the physical contact between  
16 Deputy Norris and Ms. Sheets?

17 A. You want me to go -- Can you restate it  
18 again? I'm sorry.

19 Q. Yes.

20 A. Step by step?

21 Q. Step by step, yes.

22 A. Okay. Well, she was -- she was very upset  
23 at that time. Given multiple commands of her, you  
24 know, calming down or she would be arrested.

1 So -- so Marty -- or Deputy Norris -- I'm sorry -- he  
2 once again, after multiple times telling her that  
3 that would be her circumstance if she continued  
4 to -- to be loud and disruptive, that he turned to  
5 her and said, "Ma'am, go ahead and put your hands  
6 behind your back. You're going to jail."

7 And at that point is when she threw her  
8 hands up and went towards Marty, lunging towards him.  
9 And that's when he -- he grabbed her -- grabbed her  
10 wrist and removed her hand from his shoulder, moving  
11 her by the arm towards the bed. And once she -- Once  
12 he placed her on the bed, she was -- she was face  
13 down, chest down on the bed, and he was maneuvering  
14 her arm back. And while he was doing that, that's  
15 when the injury occurred. And she -- that's when she  
16 yelled that we had broken her arm.

17 And it was immediate. As soon as she  
18 started yelling, you know, we both looked at each  
19 other. Marty gave me a nod like, "Okay. It's time  
20 to, you know, cool off." We obviously did something.

21 And so we both backed off from her. And  
22 it was a -- it was immediately after that, once we  
23 stood up that we called for the ambulance; and they  
24 were there in a very quick amount of time.

1 Q. And describe what the environment was like  
2 at that point. Was it still heightened?

3 A. No. Not at all. No. As soon as -- as  
4 soon as we both realized that that had happened,  
5 the -- it completely shifted. We -- we were off of  
6 her, obviously getting her arm into some sort of  
7 position after we had called for the squad. Gave her  
8 the aid that we could assist her with by, you know,  
9 keeping her arm close to her chest, standing her up,  
10 making sure she was -- you know, doing all these very  
11 basic, I guess, first aid for something like that,  
12 for an injury like that.

13 Q. Did you touch her arm at any time?

14 A. I did not, no. No. As soon as it  
15 happened, we got it to the front. That's when  
16 Deputy Norris -- we got her off the bed and moved her  
17 to the front of the residence where we kind of just  
18 stood by and waited for the ambulance to get there.

19 Q. Okay. Did you have a body cam on that  
20 day?

21 A. No. We did not. At that time, the  
22 sheriff's office did not issue any body cameras.  
23 They -- I can't -- I can't give you when those were  
24 implemented because I had already left and was at

1     Fairfield -- or I was already at Fairfield County  
2     Medical Center, working there by the time they  
3     actually had implemented those body cameras.

4             MS. KING:   Okay.   So at this time, I would  
5     like to take a break.

6                     (Recess taken.)

7             MS. KING:   Thank you.   Deputy Reed, that's  
8     all of the questions that I have for you today.

9             MS. JARMUSZ:   We will read.

10                    (Signature not waived.)

11                             - - -

12             And, thereupon, the deposition was  
13     concluded at approximately 10:49 a.m.

14                             - - -

1 State of Ohio :  
2 SS:  
3 County of Franklin:

4 I, DEPUTY WESLEY REED, do hereby certify  
5 that I have read the foregoing transcript of my  
6 deposition given on May 13, 2022; that together with  
7 the correction page attached hereto noting changes in  
8 form or substance, if any, it is true and correct.

9  
10 DEPUTY WESLEY REED

11 I do hereby certify that the foregoing  
12 transcript of the deposition of DEPUTY WESLEY REED  
13 was submitted to the witness for reading and signing;  
14 that after he had stated to the undersigned Notary  
15 Public that he had read and examined his deposition,  
16 he signed the same in my presence on the  
17 \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

18 \_\_\_\_\_  
19 Notary Public

20 My commission expires \_\_\_\_\_  
21 \_\_\_\_\_  
22 - - -  
23  
24

CERTIFICATE

State of Ohio :  
SS:  
County of Franklin:

I, Marilyn K. Martin, Notary Public in and  
for the State of Ohio, duly commissioned and  
qualified, certify that the within named witness was  
by me duly sworn to testify to the whole truth in the  
cause aforesaid; that the testimony was taken down by  
me in stenotypy in the presence of said witness,  
afterwards transcribed upon a computer; that the  
foregoing is a true and correct transcript of the  
testimony given by said witness taken at the time and  
place in the foregoing caption specified.

I certify that I am not a relative,  
employee, or attorney of any of the parties hereto,  
or of any attorney or counsel employed by the  
parties, or financially interested in the action.

IN WITNESS WHEREOF, I have set my hand and  
affixed my seal of office at Columbus, Ohio, on this  
27th day of May, 2022.



MARILYN K. MARTIN  
Notary Public in and for the State of Ohio  
and Registered Professional Reporter.

My Commission Expires October 16, 2026.

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